

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7760

BILL NUMBER: SB 433

DATE PREPARED: May 4, 2001

BILL AMENDED: Apr 29, 2001

SUBJECT: Prescription Refills.

FISCAL ANALYST: Kathy Norris

PHONE NUMBER: 234-1360

FUNDS AFFECTED: **X** GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (CCR Amended) This bill allows a pharmacist to refill a prescription without the written or oral authorization of a licensed practitioner if certain specified conditions are met. The bill prohibits a pharmacist from reselling, reusing, or redistributing medication that is returned to the pharmacy after the medication has been dispensed unless certain conditions are met. The bill also provides that a pharmacist who violates the provisions regarding the emergency dispensing of a prescription medication commits a Class A infraction. It also adds "Rx Only" as a federal legend. The bill allows a pharmacist to serve as a qualifying pharmacist for more than one pharmacy holding a Type II permit if certain conditions are met. The bill also provides that a pharmacist may not dispense an emergency refill if the practitioner has designated on the prescription "No Emergency Refill".

Effective Date: (CCR Amended) July 1, 2001.

Explanation of State Expenditures: (Revised) The bill would require the State Board of Pharmacy to review instances where a pharmacist might seek to provide services as a qualifying pharmacist at more than two institutions. The Board should be capable of providing this review and approval function within the current level of appropriations. The bill also creates a Class A infraction for violations of the provisions of the bill.

Explanation of State Revenues: (Revised) If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class A infraction is \$10,000 which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: (Revised) If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Indiana Board of Pharmacy

Local Agencies Affected:

Information Sources: